

## **REMARKS**

Claims 1-3, 5-6, 8-17 and 20-25 were rejected under 35 U.S.C § 103(a) as being obvious in view of Shen et al. (U.S. Pat. Pub. No. 2003/0149890), hereinafter *Shen*, in view of Bohannon et al. (U.S. Pat. No. 6,134,324), hereinafter *Bohannon*, in view of Kobata et al. (U.S. Pat. Pub. No. 2002/0077985), hereinafter *Kobata*, and further in view of Matsumoto (U.S. Pat. No. 5,897,643), hereinafter *Matsumoto*. Claims 4 and 7 were rejected under 35 U.S.C § 103(a) as being obvious in view of *Shen*, in view of *Bohannon*, in view of *Kobata*, in view of *Matsumoto*, and further in view of Rabinovitch (U.S. Pat. Pub. No. 2006/0101521), hereinafter *Rabinovitch*.<sup>1</sup>

By this amendment claims 1, 6, 11, 16 and 21 have been amended.<sup>2</sup> No claims have been added or cancelled. Accordingly, claims 1-17 and 20-25 are pending, of which claims 1, 6, 11, 16 and 21 are the only independent claims at issue.

The present invention is generally directed to storing digitally-encoded material. For example, claim 1 defines method of storing digitally-encoded material including employing a processor to execute computer executable instructions stored in memory to perform the following acts: combining a unique identifier with the digitally-encoded material and encrypting the combination of the unique identifier and the digitally-encoded material, wherein the unique identifier persists throughout the lifetime of the digitally-encoded material, regardless of any changes made to any portion of the digitally-encoded material, and wherein the unique identifier further persists in copies and other derived digitally-encoded material that includes some but not all of the original digitally-encoded material as well as a portion of new digitally-encoded material not included in the copy, such that copies and derived digitally-encoded material include both the unique identifier of the digitally-encoded material and a new unique identifier for the copy or derived digitally-encoded material.

Claim 1 further defines associating one or more built-in functions with the encrypted digitally-encoded material such that the unique identifier and the built-in functions are coupled to the digitally-encoded material, the built-in functions governing transforms and rendering of the digitally-encoded material, wherein the digitally-encoded material can be transformed and

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<sup>1</sup> Although the prior art status of the cited art is not being challenged at this time, Applicant reserves the right to challenge the prior art status at any appropriate time, should it arise. Accordingly, any arguments and amendments made herein should not be construed as acquiescing to any prior art status of the cited art.

<sup>2</sup> Support for the amendments to the claims is found throughout the specification and previously presented claims, including but not limited to paragraphs [0005], [0006], [0023]-[0025], [0027], [0031] and Figures 2-4.

rendered only by the built-in functions, wherein at least one of the built-in functions is configured to automatically notify a selected entity when a specified built-in function has been executed or when execution has been attempted, at least one of the built-in functions is configured to display the available built-in functions associated with the encrypted digitally-encoded material, and at least one of the built-in functions is configured to make visible one or more user-specified portions of the digitally-encoded material, storing a list of processors that are permitted to execute the built-in functions, receiving information regarding a first processor attempting to execute one or more of the built-in functions and verifying if the first processor attempting to execute the built-in functions is on the list of processors. Lastly, claim 1 defines permitting the first processor to execute the one or more built-in functions if the processor is on the list else preventing the first processor from executing the one or more built-in functions.

Applicants respectfully submit that the cited art of record does not anticipate or otherwise render the amended claims unpatentable for at least the reason that the cited art does not disclose, suggest, or enable each and every element of these claims.

### **35 U.S.C. 102 and 103 Rejections**

Three references from the previous 103(a) rejection remain, while one new reference (*Matsumoto*) has been added. The *Shen* reference defines standards for implementing an MPEG-n intellectual property management and protection (IPMP) system (Abs.). When distributing MPEG content, *Shen*'s content provider includes an encoder to encode the content stream, an encryption unit to encrypt the stream, a content ID generator for generating a specific Content ID based on the content of the stream, IPMP tools for decrypting the stream and a data stream compiler to assemble the various parts (par. [0034]). The IPMP tools are "modules that perform IPMP functions such as authentication, encryption, and watermarking in a predefined way," (par. [0059]). *Bohannon* is cited primarily to show the use of a loader module configured to verify that a CPU that is to process a given software product is on a list of approved CPUs that are allowed to process that product (Col. 8:37-48). If the CPU's CPU-ID is on the list, processing is permitted; if not, processing is terminated (*Id.*). However, *Shen* and *Bohannon* fail to teach multiple aspects of the invention as claimed, as indicated by the Examiner on p. 6 of the current Office Action.

To overcome these limitations, *Kobata* and *Matsumoto* have been cited. *Kobata* describes techniques for controlling and managing digital assets. *Kobata*'s system is "capable of tracking

the usage and location of the digital content for the lifetime of the digital content.” (par. [0124]). *Matsumoto* describes a system for maintaining a record of documents including document copies. When a copy is made, the system adds a new document ID to an original document ID, as well as a update date and time (Col. 6:14-23). However, neither *Matsumoto* nor any of the other cited references mention or suggest applying a unique identifier to anything other than a verbatim copy. Moreover, neither *Matsumoto* nor any of the other cited references mention or suggest persisting a unique identifier in a derived digitally-encoded work that includes some but not all of the original digitally-encoded material as well as a portion of new digitally-encoded material not included in the copy.

Accordingly, at least for any of the above reasons, none of the cited art, alone or in combination, teaches or suggests “combining a unique identifier with the digitally-encoded material and encrypting the combination of the unique identifier and the digitally-encoded material, wherein the unique identifier persists throughout the lifetime of the digitally-encoded material, regardless of any changes made to any portion of the digitally-encoded material, and wherein the unique identifier further persists in copies and other derived digitally-encoded material that includes some but not all of the original digitally-encoded material as well as a portion of new digitally-encoded material not included in the copy, such that copies and derived digitally-encoded material include both the unique identifier of the digitally-encoded material and a new unique identifier for the copy or derived digitally-encoded material,” as recited in combination with the other limitations of claim 1.

Moreover, neither *Matsumoto* nor any of the other cited references mention or suggest built-in functions that provide functionality such as the following: built-in functions that are configured to display the available built-in functions associated with an encrypted digitally-encoded material, or built-in functions that are configured to make visible user-specified portions of the digitally-encoded material. As such, none of the cited art, alone or in combination, teaches or suggests “associating one or more built-in functions with the encrypted digitally-encoded material such that the unique identifier and the built-in functions are coupled to the digitally-encoded material, the built-in functions governing transforms and rendering of the digitally-encoded material, wherein the digitally-encoded material can be transformed and rendered only by the built-in functions, wherein at least one of the built-in functions is configured to automatically notify a selected entity when a specified built-in function has been executed or

when execution has been attempted, at least one of the built-in functions is configured to display the available built-in functions associated with the encrypted digitally-encoded material, and at least one of the built-in functions is configured to make visible one or more user-specified portions of the digitally-encoded material," as recited in claim 1.

Thus, at least for the reasons outlined above, claim 1 patentably defines over the art of record. At least for any of these reasons, claims 6, 11, 16 and 21 also patentably define over the art of record. Since each of the dependent claims depend from one of claims 1, 6, 11, 16 and 21, each of the dependent claims also patentably define over the art of record for at least any of the same reasons.

In view of the foregoing, Applicant respectfully submits that the other rejections to the claims are now moot and do not, therefore, need to be addressed individually at this time. It will be appreciated, however, that this should not be construed as Applicant acquiescing to any of the purported teachings or assertions made in the last action regarding the cited art or the pending application, including any official notice. Instead, Applicant reserves the right to challenge any of the purported teachings or assertions made in the last action at any appropriate time in the future, should the need arise. Furthermore, to the extent that the Examiner has relied on any Official Notice, explicitly or implicitly, Applicant specifically requests that the Examiner provide references supporting the teachings officially noticed, as well as the required motivation or suggestion to combine the relied upon notice with the other art of record.

In the event that the Examiner finds remaining impediment to a prompt allowance of this application that may be clarified through a telephone interview, the Examiner is requested to contact the undersigned attorney at (801) 533-9800.

Dated this 17<sup>th</sup> day of September, 2010.

Respectfully submitted,

/GREGORY R. LUNT/

RICK D. NYDEGGER  
Registration No. 28,651  
GREGORY R. LUNT  
Registration No. 57,354  
Attorneys for Applicant  
Customer No. 47973

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